

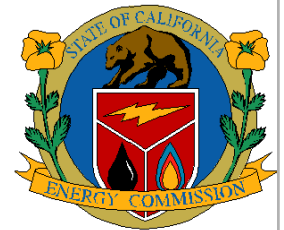
# California Energy Commission

## 6-MONTH POWER PLANT LICENSING PROCESS WORKSHOP FOR CPA BIDDERS

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**Systems Assessment and Energy  
Facilities Siting Division**

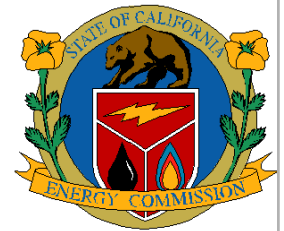
**March 12, 2003**



# Purpose

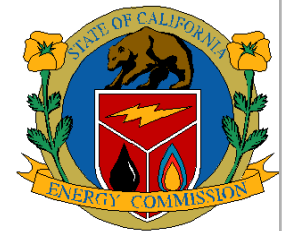
To assist potential CPA power plant developers in preparing their Applications so they qualify for the 6-month process and to provide information on how to avoid pitfalls that have caused delays or cancellation of other 6-month projects. Presentation includes:

- Overview of the CEC licensing process
- Prefiling meetings with Energy Commission
- Discussion of lessons learned from the past
- Questions and answers



# Energy Commission Licensing Authority

- **Energy Commission Permitting Authority**
  - Thermal power plants 50 megawatts or greater
  - All facilities at the site and related linear facilities
    - Electric transmission lines to point of interconnection
    - Environmental evaluation of electric transmission facilities required for the project
    - Water supply systems and wells (on and off-site)
    - Wastewater lines and gas pipelines
    - Roads
- **Lead State Agency for California Environmental Quality Act (CEQA)**
- **6- and 12-Month Licensing Processes**



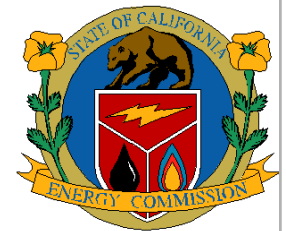
# Extent of Energy Commission Review

- **Determine if application conforms with local, state, and federal laws and standards**
- **Conduct public health and safety, engineering and environmental analysis**
  - **Analyze construction and operation effects of the project**
  - **Evaluate alternative technologies and alternative sites**
  - **Analyze cumulative effects of the project with other new development in the area**
  - **Identify and recommend mitigation measures**



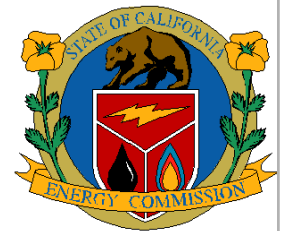
# Areas of Examination - Environmental

- Air Quality
- Alternative Sites
- Alternative Technologies
- Biological Resources
- Cultural Resources
- Hazardous Materials Management
- Land Use
- Public Health
- Socioeconomics
- Soils
- Traffic & Transportation
- Transmission Line Safety & Nuisance
- Visual Resources
- Waste Management
- Water Resources
- Worker Safety & Fire Protection



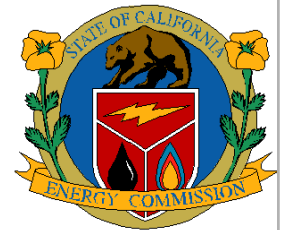
# Areas of Examination - Engineering

- **Efficiency**
- **Facility Design**
- **Geology**
- **Noise & Vibration**
- **Reliability**
- **Transmission System Engineering**



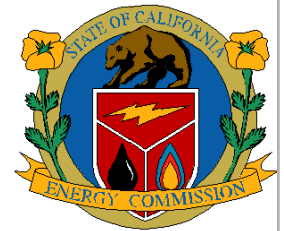
# 6-Month Information Requirements-- Energy Facilities Siting Regulations

1. Title 20, California Code of Regulations, §1704, Appendix B (12-month data adequacy); and,
2. Title 20, § 2022 (6-month)-- At time of AFC filing, applicants must provide mitigation measures and assurances that:
  - There are no significant environmental impacts
  - There are no public health and safety issues
  - There are no impacts to the transmission system
  - The project complies with all local, state, and federal laws and regulations
  - Contract with a general contractor for an adequate supply of skilled labor



## 6-Month Info Requirements (cont'd)

- Fully describe mitigation measures/conditions of certification (use past examples and protocols)
- Changes in law required for the project (e.g., GP amendment, rezone, Williamson Act contracts)
- Schedule for accomplishing changes (from city/county, USFWS, etc.)
- Provide written assurances that matters can be resolved during the 6-month process (from city/county, USFWS, etc.)
- Provide evidence of site control





# Past Licensing Delays--Developer Activities Prior to Filing with CEC

- Incomplete biological field surveys
- Late consultation with USFWS, NMFS and/or CDFG
- Incomplete Biological Assessment lacking mitigation measures
- Incomplete cultural resource field surveys
- Lack of a natural gas interconnection agreement
- Lack of a complete electric transmission interconnection study by the utility
- Project related electric system impacts requiring transmission upgrades



## Past Licensing Delays--Developer Activities Prior to Filing (cont'd)

- No verified source of water or will-serve letter
- Lack of a completed application to the appropriate air district
- Disagreement with the air district over BACT
- Incomplete inventory of air emission offsets
- Incomplete cumulative air modeling
- Interconnection with WAPA requiring joint NEPA/CEQA review
- Incomplete ambient noise monitoring surveys



# Past Licensing Delays--Site and Project Design

- Site not appropriately zoned
- Conversion of agricultural land or Williamson Act contract
- Use of groundwater or surface water for cooling
- Use of groundwater requiring groundwater modeling
- Nearby land owners' concerns
- Concerns voiced by local Planning Dept. and local elected officials
- Use of anhydrous ammonia instead of aqueous ammonia



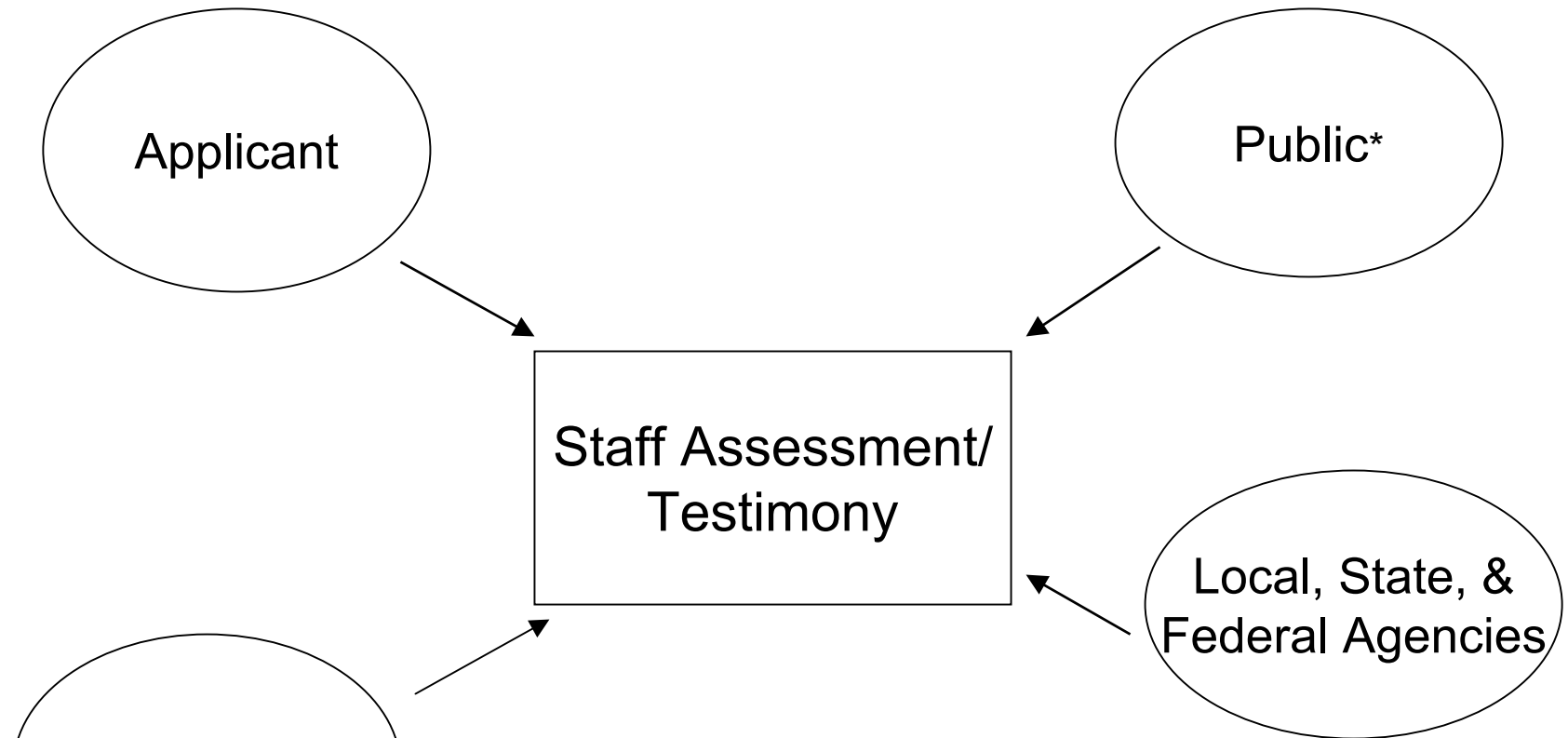
# Three-Step Licensing Process

- 1. Data Adequacy -- Information Requirements\***  
(45 days, maybe longer if Application is not complete the the first time. The 6-month clock does not begin until the application is data adequate)
- 2. Staff Discovery and Analyses (0-120 days)**
- 3. Evidentiary Hearing and Decision (121-180 days)**

**\*Assuming 1-year construction and an on-line date of May 2005, file AFC by August 2003**



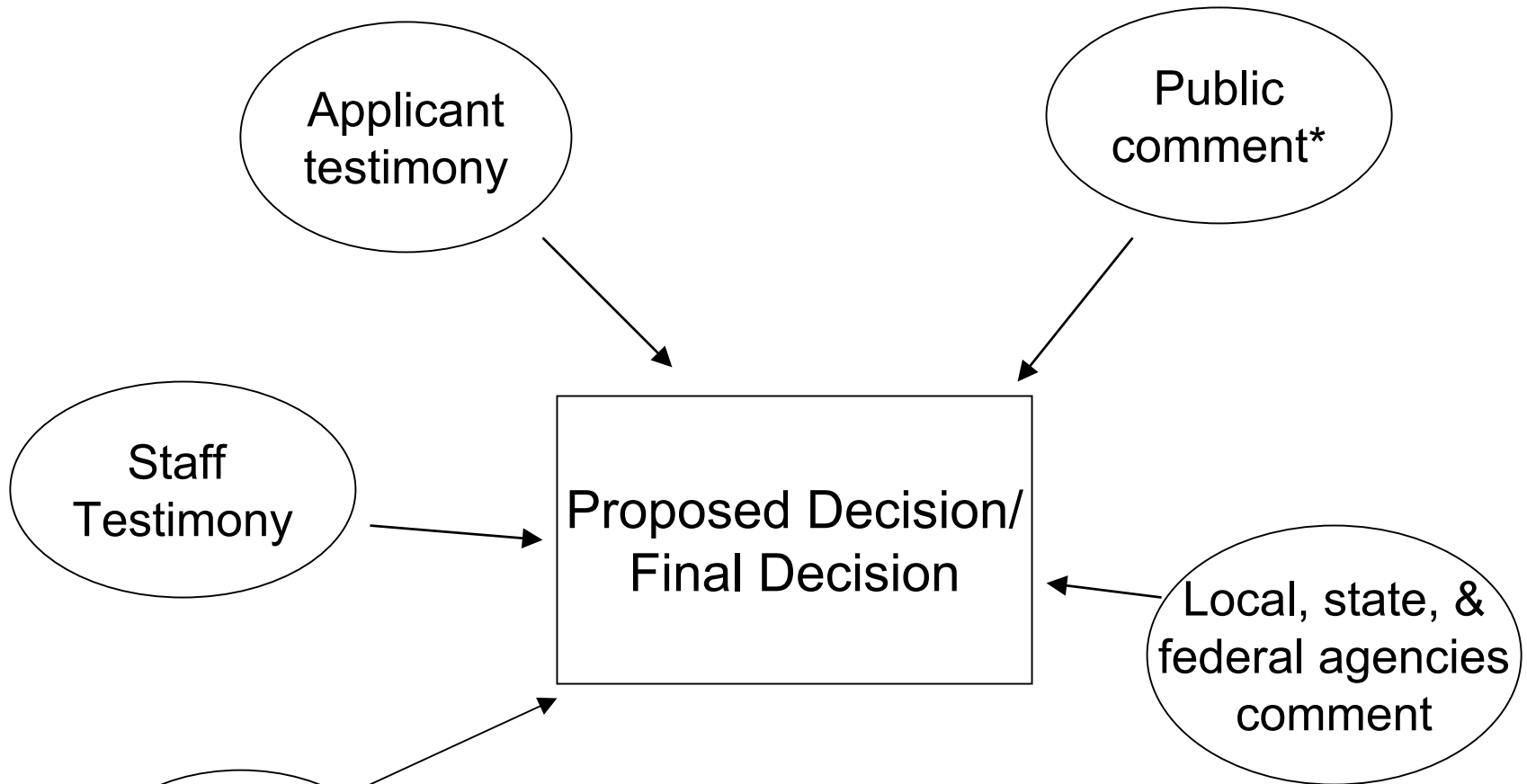
# Energy Commission Staff as Information Gatherers



\* the Public Adviser provides assistance on how to participate in the Energy Commission public process.



# Energy Commission as Decision Makers

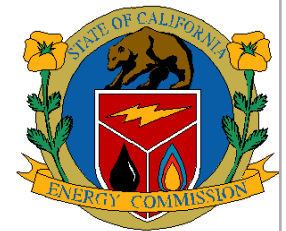


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## Example 6-Month Schedule

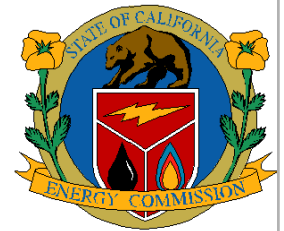
Application for Certification (AFC) filed	-45
Executive Director's recommendation on data adequacy	-15
Decision on data adequacy at the business meeting*	0
Staff files data requests	10
Staff files Issue Identification Report	20-35
Information hearing and site visit*	30-45
Applicant provides data responses	40
Data response and issue resolution workshop*	50
Local, state, and federal agency draft determinations	60
Staff Assessment filed	75



## Example 6-Month Schedule

Staff Assessment workshop*	85
Local, state, and federal agency final determinations	100
Addendum to Staff Assessment	120
Evidentiary hearings*	130
Committee files proposed decision	150
Conference on the proposed decision*	160
Addendum to the proposed decision	165
Commission Decision*	180

\*Publicly noticed hearings or workshops





## Website Information

<http://www.energy.ca.gov/sitingcases/index.html>

### Second Column--Power Plant Licensing Cases

- Recently Approved Projects (AFC, Data Adequacy worksheets, and Data Requests)
- Current Projects Before the Commission (same info as above)
- Map Showing Current Power Facility Cases

### Third Column--Information for Developers

- Energy Facilities Siting Regulations for 12- and 6-month processes
- Schedule/Informational Requirements (12- and 6-month processes)
- Staff's Data Adequacy Forms (12- and 6-month projects)

